GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - Sri P.Samdani Basha, former Sr.Assistant, O/o Tahsildar, Varikuntapadu (M), SPSR Nellore District - Departmental proceedings initiated under rule 20 of APCS (CC&A) Rules, 1991 - Article of charges Issued - Enquiry Officer appointed - Report submitted - communicated - further explanation submitted - to impose a penalty of "withholding of two (2) annual grade increments with cumulative effect' against him - Orders - Issued.

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REVENUE (VIGILANCE.III.2) DEPARTMENT

G.O.Rt.No.638 **Dated:10.08.2022.**

Read the following:-

1. Procdgs No.VS.II(2)/772/2017-1, Dated:05.01.2018 of Chief Commissioner of Land Administration, A.P., Vijayawada.
2. Procdgs No.VS.II(2)/772/2017-4, Dated:05.01.2018 of Chief Commissioner of Land Administration, A.P., Vijayawada.
3. Procdgs.No.VS.II(2)/772/2017, Dt:213.03.2018 of the Chief Commissioner of Land Administration, A.P., Vijayawada.
4. Enquiry report of the Inquiry Officer received through the District Collector, SPSR Nellore, Rc.No.A1/11/2016, dt:27.02.2019.
5. From the Chief Commissioner of Land Administration, A.P, Vijayawada, Lr.No.VS.II(2)/772/2017, Dated:01.11.2020.
6. Govt.Memo.No.LANA0CCLV (DISC)/84/2020-Vig.III, Dt:17.03.2021.
7. Explanation dt:11.06.2021 of Sri P.Samdani Basha, former Sr.Assistant, O/o Tahsildar, Varikuntapadu (M), SPSR Nellore District.
8. Letter.No.REV01-LANA0CCLV(DISC)/84/2020-Vig.III(2), Dt:27.05.2022
9. From the Secretary, APPSC, Lr.No.GAD03-APPSC0DCC/36/2022-DC SEC-APPSC, Comp.No.1754441, Dt:18.07.2022

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ORDER:

Whereas, it has been brought to the notice of the Government that common disciplinary proceedings has been initiated against (1) Smt.D.Prameela, former Tahsildar, Varikuntapadu (M) (2) Sri U.Srinivasulu, MRI, Tahsildar Office, Varikuntapadu (M) (3) Sri P.Samdani Basha, Sr.Assistant Tahsildar Officer, Varikuntapadu (M) and (4) Sri Y.Kotaiah, VRO, Peddireddypalle Village, Varikuntapadu (M), for the irregularities committed by including of certain names in webland Adangal irregularly and recommended for inclusion of the names of Sri Nadehdla Rajendra and others for an extent of 22.73 cents of Peddireddipalli Village of Varikunta Mandal. The following Article of Charges has been framed against Sri P.Samdani Basha, former Sr.Assistant, O/o Tahsildar, Varikuntapadu (M), SPSR Nellore District vide the reference 2nd read above.

CHARGE - 1:

Being a responsible Government Servant, Sri P.Samdani Basha, Senior Assistant, O/o the Tahsildar, Varikuntapadu has circulated certain files for getting approval of the Tahsildar for inclusion of names of unconnected villagers of Peddireddipadu in Computer Adangal as against the lands classified as Gayalu (Government Land) as if DKT pattas were issued in Sy.Nos. 25-10 and 10-1 for an extent of Acs.0.87 Cents and Acs.0.77 Cents respectively, without following due procedure and lend a hand to the unconnected individuals to secure title over Government lands and failed to protect Government land and thereby violated Rule 3 of ARCS (Conduct) Rules 1964.

CHARGE 2:

Being a responsible Government Servant, Sri P.Samdani Basha, Senior Assistant, O/o the Tahsildar, Varikuntapadu has behaved negligently in

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circulating files to the Tahsildar, for inclusion of names of unrelated individuals of the Government Land (Gayalu) with an intention of securing title over the Government lands to them, and he completely failed in protection of Government land and thereby derelict his legitimate duty. It is the first and foremost duty in the cadre of Senior Assistant to study the proposal furnished by the field level staff to secure Govt. land, but he failed to do so, and thereby he violated Rule 3 of APCS (Conduct) Rules 1964.

2. And whereas, in the reference 3rd read above, the Chief Commissioner of Land Administration, A.P., Vijayawada has appointed the District Revenue Officer, SPSR Nellore as enquiry Officer to inquiry into the Charges framed against the above 4 Chaged Officers. In the reference 4th read above, the Enquiry Officer has submitted the report stating that it is the responsibility of the field staff to verify the records before submitting a report and due to non availability of the 10 (1) Darakhast Register he is said to unable to verify the records and basing on the recommendations of the field staff he has circulated the file. In the absence of the records the individual has circulated the file. Hence the charge is held not proved against Sri P.Samdani Basha, former Sr.Assistant, O/o Tahsildar, Varikuntapadu (M), SPSR Nellore District.

3. As one of the Charged Officers i.e., Smt.D.Prameela, Tahsildar is retired from service on 31.05.2018, the Chief Commissioner of Land Administration, A.P., Vijayawada has submitted the proposals to the Government to conclude the disciplinary proceedings under rule 9 of A.P. Revised Pension Rules, 1980.

4. Government, after careful examination of the matter, disagreed with the findings of the Inquiry Authority and record its own findings against the Charged Officer as it is the responsibility of the Senior Assistant to verify the record carefully before recommending for mutation since the lands are under Acquisition. He shall specifically mention in the note file that the DKT register and 10-1 register are not available and shall seek directions of Tahsildar for instructions, if his plea is correct. He cannot simply escape by throwing blame on Field staff for record verification. He shall verify the Minutes book of the Assignment Committee and Assignment file in the absence of DKT Registrar. When Web land Adangal shows that it is Government land and the recommendation of MRI is not specific, he shall necessarily inform the facts to the Tahsildar. Hence, the charge is proved.

5. And whereas, a copy of the inquiry report with the reasons for disagreement on the findings of the Inquiry Authority and findings of Government was communicated to the Charged Officer Sri P.Samdani Basha, former Sr.Assistant, with a request to submit his representation, if any in the matter to the Government, within 15 days from the date of receipt of the memo, in terms of Rule 21(2) of APCS (CC&A) Rules 1991, vide the memo dt:17.03.2021. Accoridngly, the Charged Officer Sri P.Samdani Basha, former Sr.Assistant has submitted his explanation vide reference 7th read above.

6. Government after careful examination of the matter, have provisionally decided to impose a penalty of stoppage of two increments with cumulative effective against Sri P.Samdani Basha, former Sr.Assistant, O/o Tahsildar, Varikuntapadu (M), SPSR Nellore District. Accordingly, necessary proposals has been sent to the Secretary, APPSC to place the above proposal of the Govt., before the Commission for their concurrence and furnish the same to Government for taking further action in the matter, vide reference 8th read above.

7. In the reference 9th read above, the Secretary, APPSC has informed that after careful examination of the disciplinary case in the light of the records made available, Commission agreed with the above proposal of Government, and advised accordingly.

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8. Government, after considering the advise of the APPSC, have decided and here order to impose a penalty of "withholding of two (2) annual grade increment with cumulative effect' against Sri P.Samdani Basha, former Sr.Assistant, O/o Tahsildar, Varikuntapadu (M), SPSR Nellore District, under Rule 9 of A.P.C.S (CC&A) Rules, 1991.

9. The Collector & District Magistrare, SPSR Nellore District shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To:

Sri P.Samdani Basha, former Sr.Assistant, O/o Tahsildar, Varikuntapadu (M), SPSR Nellore District ***through*** the Collector & District Magistrare, SPSR Nellore District.

The Collector & District Magistrare, SPSR Nellore District.

Copy to:

The Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Secretary, APPSC, Vijayawada.
Sf/Sc.

// FORWARDED :: BY ORDER//

SECTION OFFICER